

PROFESSOR ARTHUR L. CORBIN CREATOR OF THE PRESENT-DAY YALE LAW SCHOOL

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ARTHUR LINTON CORBIN was born in Cripple Creek, Colorado on October 17, 1874. After obtaining the B.A. degree at the University of Kansas in 1894, he came East three years later to study law at Yale. The regular course of study for the LL.B. degree was three years but the catalogue provided that Bachelors of Arts "of approved colleges will be permitted to complete the three years' course in two years, if they are able to do so." Arthur Corbin had no difficulty in doing so, and obtained his law degree in 1899. He then returned to Cripple Creek to practice law. In 1903 he was called back to the Yale Law School as Instructor of Contracts. The next year he was appointed Assistant Professor and in 1909 was named Professor of Contracts. This professorship he still holds, although he has been Professor Emeritus since 1943 when he was obliged to retire because he had reached the age of 68.¹

In October 1954 the Yale Law School gave a dinner to honor Professor Corbin on his eightieth birthday. He spoke on the subject of "Principles of Law and Their Evolution." His eloquent remarks disclose, with enlightening illustrations, his legal philosophy and demonstrate how "the development of our law — common, statutory, and constitutional — is a part of the continuing evolutionary development of life in society."²

On the same occasion Professor Friedrich Kessler remarked in addressing Professor Corbin: "The most significant and impressive aspect of your work is that it bears the stamp of an imaginative reformer."³ This is true; he has always shown himself to be "an imaginative reformer." In 1908 the Law School faculty held a meeting to discuss how to improve the reputation of the school. Arthur Corbin submitted a statement of three necessary reforms.

The first reform was a more mature and well-trained body of students. At that time students were admitted at the Law School directly from high school. Most college graduates who intended to study law in the East went either to Harvard or Columbia. In 1908 two years of college was required for admission to Yale Law School and shortly thereafter this was raised to a college degree.

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1. Incidentally, the writer wishes to interject the opinion that it is unwise to require retirement at a fixed age regardless of a professor's ability to continue teaching. Many universities have adopted a more flexible system. For example, Professor Williston continued to teach at Harvard for approximately eight years after he reached 63. It is true that such a system may cause disappointment to those not so requested, but this seems to me a desirable price to pay for retaining the capable. Professor Corbin has demonstrated his continuing capability by teaching at other institutions since his forced retirement at Yale.

2. Reprinted in 64 YALE L.J. 161 (1954).

3. Reprinted in *id.* at 164.

The second reform he proposed was a full time teaching and producing faculty. The faculty then had two full time members but most of the courses were taught by Connecticut judges and lawyers. They were able men but could devote little time to teaching.

The third reform he proposed was use of the case-method of teaching, which he had already put into effect in his own courses. The Yale catalogue for 1908-1909 described the system of instruction as follows:

Law has been taught in the law schools of the United States by three distinct methods, by lectures, by text-book, and by cases. The Yale Law School does not adopt any one of these to the exclusion of the others. Experience has seemed to indicate that the best results are attained by a combination of the three methods.

The case-method of instruction at Yale used only illustrative cases. It did not require students by intensive study of cases to deduce their own generalizations of legal principles.

These three reforms proposed by Corbin were reported by Dean Rogers to the Yale Corporation. They were all in effect when I became the Dean in 1916.⁴ It is because of these reforms which Arthur Corbin initiated that Yale has been able to attain its present position among American law schools.

Professor Corbin has been a prolific writer. More than twenty-five articles by him have been published in the *Yale Law Journal* alone, not to mention his articles in other Law Reviews. The earliest appears in Volume 15 of the Journal and the latest I have seen in Volume 71.* Not all of these articles deal with technical legal subjects, several are tributes to deceased colleagues on the Yale faculty and to Mr. Justice Cardozo. Reference should also be made to Professor Corbin's public services. In 1920 he was President of the American Law School Association, and later he served the American Law Institute in its Restatement of Contracts and its Revision of the Uniform Sales Act. In both of these projects his help was invaluable. His *magnum opus*, of course, is his superb treatise entitled "Corbin on Contracts." This great work has been so universally acclaimed that further commendation by me would be superfluous. I am happy to record, however, that despite defective eyesight Professor Corbin was able to read every published opinion dealing with contracts and to produce additional volumes to keep his treatise up to date until the middle of last May. He then decided to stop doing so.

During his many years at Yale Professor Corbin has served under six deans of whom I was one. I want to express my gratitude for his wise advice and willing cooperation. Never did I take action contrary to his counsel nor lack his support in action taken. I am confident that he has been equally helpful to his other deans.

Finally let me say that throughout my long life I have never known anyone whose judgment I respect as much as Arthur Corbin's, whether legal questions, local or world politics or whatever the subject of discussion may be. Nor have I ever had a truer or dearer friend.

4. With the exception that Yale College Seniors were permitted to enroll in the Law School and thus obtain both their College and Law School degrees in six years.

*There appears in this issue a bibliography of all known published work of Professor Corbin. (Ed.)